

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SCOTT EARL, Individually and on Behalf of  
All Others Similarly Situated,

Plaintiff,

vs.

BELL HOUSE, LLC, FRANK BAILEY, and  
BRENDA BAILEY,

Defendants.

**8:20CV129**

**ORDER FOR DISMISSAL ON  
STIPULATION**

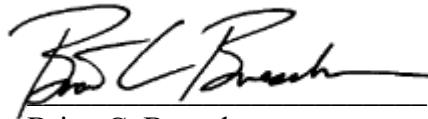
This case is before the Court on the parties' Joint Stipulation for Dismissal with Prejudice. [Filing 67](#). The parties explain that they have reached a settlement and jointly request that this matter be dismissed with prejudice, with each party to bear its own costs, except as otherwise agreed. Under these circumstances, dismissal with prejudice is appropriate. The parties request that the Court retain jurisdiction for thirty days to enforce the terms of the settlement agreement if necessary. Such an express reservation of ancillary jurisdiction to enforce the settlement agreement if necessary is permissible and appropriate. See *W. Thrift & Loan Corp. v. Rucci*, 812 F.3d 722, 724–25 (8th Cir. 2016) (reiterating “the well-established rule” that “a district court may retain ancillary jurisdiction to enforce a settlement agreement when its order dismissing the case reserves such jurisdiction” (citing *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 381 (1994))). Accordingly,

IT IS ORDERED that the parties' Joint Stipulation for Dismissal with Prejudice, [Filing 67](#), is granted, and this matter is dismissed with prejudice, with each party to bear its own costs, except

as otherwise agreed. The Court shall retain jurisdiction over this matter for thirty days from the date of this order to enforce the terms of the parties' settlement agreement if necessary.

Dated this 18th day of April, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher  
United States District Judge